

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 11/28/16

ORIGINAL

UNITED STATES OF AMERICA

- v. -

CLEON CLARKE,
a/k/a "Dell," and
GARFIELD GREEN,
a/k/a "Onie,"
a/k/a "Field,"

Defendants.

SEALED INDICTMENT

16 Cr.

1:6 CRIM 781

COUNT ONE

(Conspiracy to Commit Robbery)

The Grand Jury charges:

1. In or about December 2014, in the Southern District of New York and elsewhere, CLEON CLARKE, a/k/a "Dell," and GARFIELD GREEN, a/k/a "Onie," a/k/a "Field," the defendants, and others known and unknown, unlawfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and thereby would have obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, CLARKE, GREEN, and others known and unknown, agreed to commit an armed robbery of an employee of a company operating in interstate commerce of business funds, in the vicinity of 2

Norman Street in Everett, Massachusetts.

(Title 18, United States Code, Section 1951.)

COUNT TWO

(Robbery)

The Grand Jury further charges:

2. On or about December 8, 2014, in the Southern District of New York and elsewhere, CLEON CLARKE, a/k/a "Dell," and GARFIELD GREEN, a/k/a "Onie," a/k/a "Field," the defendants, unlawfully and knowingly committed robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and thereby obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, CLARKE, GREEN, and others known and unknown robbed an employee of a company operating in interstate commerce of business funds, in the vicinity of 2 Norman Street in Everett, Massachusetts.

(Title 18, United States Code, Sections 1951 and 2.)

COUNT THREE

(Use of a Firearm in Furtherance of a Crime of Violence)

The Grand Jury further charges:

3. In or about December 2014, in the Southern District of New York and elsewhere, CLEON CLARKE, a/k/a "Dell," and GARFIELD GREEN, a/k/a "Onie," a/k/a "Field," the defendants during and in relation to crimes of violence for which they may

be prosecuted in a court of the United States, namely, the robbery conspiracy charged in Count One of this Indictment and the robbery charged in Count Two of this Indictment, knowingly did use and carry firearms, and, in furtherance of such crime, did possess firearms, and did aid and abet the use, carrying and possession of firearms, which were brandished.

(Title 18, United States Code, Sections 924(c)(1)(A)(ii) and 2.)

FORFEITURE ALLEGATION

4. As a result of committing the robbery offenses alleged in Counts One and Two of this Indictment, CLEON CLARKE, a/k/a "Dell," and GARFIELD GREEN, a/k/a "Onie," a/k/a "Field," the defendants, shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offenses alleged in those counts.

Substitute Asset Provision

5. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants:

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third person;

(c) has been placed beyond the jurisdiction of
the Court;

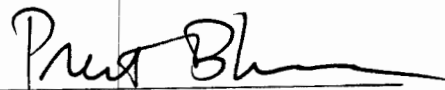
(d) has been substantially diminished in value;
or

(e) has been commingled with other property which
cannot be subdivided without difficulty;
it is the intent of the United States, pursuant to Title 18,
United States Code, Section 981, Title 21, United States Code,
Section 853(p), and Title 28, United States Code, Section 2461,
to seek forfeiture of any other property of the defendants up to
the value of the forfeitable property.

(Title 18, United States Code, Section 981; Title 21,
United States Code, Section 853; and Title 28,
United States Code, Section 2461.)



FOREPERSON



PREET BHARARA ^{W 84}
United States Attorney

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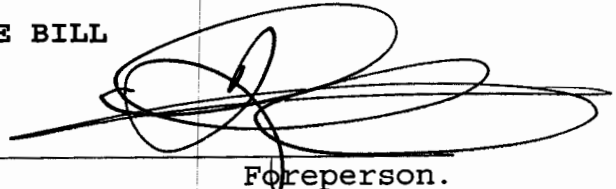
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(18 U.S.C. §§ 1951,
924(c), and 2)

PREET BHARARA
United States Attorney.

A TRUE BILL



Foreperson.

11/28/16 FILED INDICTMENT. WARRANT ISSUED

COFF, USMT